



**Fox Rothschild** LLP  
ATTORNEYS AT LAW

Eagleview Corporate Center  
747 Constitution Drive  
Suite 100  
Exton, PA 19341-0673  
Tel (610) 458-7500 Fax (610) 458-7337  
www.foxrothschild.com

KAREN DAVIS  
Direct No: 610.458.6702  
Email: KDavis@FoxRothschild.com

July 29, 2019

**VIA EMAIL AND FIRST CLASS MAIL**

Henry Guzman  
Assistant Regional Counsel  
USEPA Region 2  
Office of Regional Counsel  
290 Broadway, 17th floor  
New York NY 10007

**Re: Supplemental Response to EPA Request for Information Pursuant to 42 U.S.C. §9604(e) of the Comprehensive Environmental Response, Compensation and Liability Act, San German Ground Water Contamination Site**

Dear Mr. Guzman:

HP Inc. ("HP") is providing this supplemental response to the U.S. EPA Request for Information Pursuant to CERCLA, Section 104(e) pertaining to the San German Ground Water Contamination Site, in San German, Puerto Rico (the "Site") dated September 16, 2015 (the "Request"). The Request seeks information regarding buildings within the Retiro Industrial Park in San German, Puerto Rico previously leased by Digital Equipment Corporation de Puerto Rico, Project S-0551-0-60, (the "CCL Lot") and Project S-0373-0-56, (the "former Baytex Lot"). The Request refers to these two lots as the "Facilities."

**Supplement to HP's response to Question 14 of the Request**

Question 14 of the Request asks the following:

*During Digital's operations at the Facility, describe all leaks, spills, or releases at or from the Facility of materials that were or may have been hazardous, toxic, flammable,*

A Pennsylvania Limited Liability Partnership

California    Colorado    Delaware    District of Columbia    Florida    Georgia    Illinois    Minnesota  
Nevada    New Jersey    New York    North Carolina    **Pennsylvania**    South Carolina    Texas    Washington



Henry Guzman  
July 29, 2019  
Page 2

*reactive, or corrosive, or may have contained hazardous substances, including, but not limited to:*

- a. The date of each such occurrence;*
- b. The specific location at the Facility of each such occurrence; and*
- c. The materials that were involved in each such occurrence in terms of the nature, composition, color, smell, and physical state (solid or liquid of such material.)*

**Response:**

HP objects to the form of the question in that it assumes that Digital Equipment Corporation operated the Facilities. In fact, and is further demonstrated by the enclosed correspondence, the Facilities were operated by Digital Equipment Corporation de Puerto Rico and not Digital Equipment Corporation.

As a supplement to HP's November 9, 2015 response, HP has enclosed a letter from Digital Equipment Corporation de Puerto Rico to the Puerto Rico Environmental Quality Board ("EQB") reporting an accidental spill of sulfuric acid on May 1, 1989 at its Building #6 stockroom. The enclosed letter from Digital Equipment Corporation de Puerto Rico to EQB indicates that following the spill, Digital Equipment Corporation de Puerto Rico took immediate corrective steps to prevent any damage to the environment. In HP's November 9, 2015 response to Question 8 of the Request, HP noted that the Digital Equipment Corporation de Puerto Rico building that was located at the former Baytex lot may have been known as Building 6. HP further indicated in response to Question 10 of the Request that Digital Equipment Corporation de Puerto Rico reportedly had a warehouse for storage of raw materials located at this lot and sulfuric acid reportedly was one of the raw materials stored in the warehouse.

**Supplement to HP's response to Question 17 of the Request**

Question 17 of the Request asks the following:

*Identify and provide copies of all insurance policies and indemnification agreements held or entered into which arguably could indemnify Digital, Compaq, and or Hewlett-Packard against any liability which it may be found to have under CERCLA for releases and threatened releases of hazardous substances at and from the Site. In response to this request, please provide not only those insurance policies and agreements which currently are in effect, but also include those which were in effect during the years Digital operated at the facility.*



Fox Rothschild LLP  
ATTORNEYS AT LAW

Henry Guzman  
July 29, 2019  
Page 3

**Response:**

HP objects to the form of the question in that it assumes that Digital Equipment Corporation operated the Facilities. As previously noted, the Facilities were operated by Digital Equipment Corporation de Puerto Rico and not Digital Equipment Corporation.

As a supplement to HP's November 9, 2015 response, HP has enclosed copies of Blanket Public Liability Policies issued to Digital Equipment Corporation and its majority owned subsidiaries for the period of June 28, 1978 to June 28, 1980 and from June 28, 1981 to June 28, 1992. We do not know if any of these policies would provide indemnity coverage to HP in connection with the San German Ground Water Contamination Site.

**Statement of Non-Liability**

As HP explained in its November 9, 2015 response, HP is not the successor to, and does not have liability for the actions of, Digital Equipment Corporation de Puerto Rico. Since the CCL lot and the Baytex lot were leased and operated by Digital Equipment Corporation de Puerto Rico, and as demonstrated by the enclosed correspondence, Digital Equipment Corporation de Puerto Rico was responsible for any releases that may have occurred at these lots during its period of operation, HP is not a responsible party for the San German Ground Water Contamination Site.

The documents referenced in this supplemental response may be accessed and downloaded through Fox Rothschild's KiteWorks FTP site. You will receive an invitation to this site via email. Please let us know if you have any questions or trouble accessing the documents.

Sincerely,

Karen Davis

KD:stj

Enclosures: May 3, 1989 DEC PR letter to EQB reporting accidental spill of sulfuric acid  
Liberty Mutual insurance policies from 1978 through 1992

cc: (by email only)

Jenny McClister  
Christopher M. Dirscherl  
Christopher M. Roe